

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 1-74 are pending in this application. Claims 1, 8, 14, 21, 26, 33, 39 and 46 are independent. All of the pending claims stand rejected. By this amendment, claims 26-50, 53, 54 and 65-74 are canceled without prejudice or disclaimer. Claims 1-25, 55, 56, 58-61, 63 and 64 are amended. No new matter has been added by these amendments.

Rejections under 35 U.S.C. §103

Claims 1, 2, 4, 5, 7-11, 13-15, 17, 18, 20-27, 29, 30, 32-36, 38-40, 42, 43, 45-55, 58, 60, 63, 65, 68, 70 and 73 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,298,405 to Ito ("Ito") in view of U.S. Patent No. 7,262,873 to Rasche ("Rasche"). Claims 3, 16, 28, 41, 57, 62, 67, and 72 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ito in view of Rasche, and further in view of U.S. Pub. No. 2003/0007169 to Tanaka ("Tanaka"). Claims 6, 12, 19, 31, 37 and 44 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ito in view of Rasche, and further in view of U.S. Patent No. 6,552,743 to Rissman ("Rissman"). Claims 56, 59, 61, 64, 66, 69, 71 and 74 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ito in view of Rasche, and further in view of U.S. Patent No. 6,357,021 to Kitagawa ("Kitagawa").

As indicated above, claims 26-50, 53, 54 and 65-74 have been canceled thereby rendering the rejections directed to these claims moot.

Independent claims 1, 8, 14 and 21 have been amended for further clarification. In particular, amended claim 1 reads:

An image sensing apparatus comprising an image sensing unit which converts an optical image of an object into an electric image signal, and an interface capable of communicating with an external printing apparatus, wherein the control unit comprises:

a communication control unit which starts communication between the image sensing apparatus and the external printing apparatus, with the external printing apparatus being a host and the image sensing apparatus being a slave, to transfer the image signal to the external printing apparatus via the interface;

a determination unit which determines, after the communication control unit controls to start the communication, whether control relation between the image sensing apparatus and the external printing apparatus is a first type in which the external printing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus, or a second type in which the external printing apparatus is configured in such a way that processing in the external printing apparatus can be controlled by a controller of the image sensing apparatus, by communication with the external printing apparatus via the interface; and

a processing controller which changes a processing procedure for processing an image in the image sensing apparatus by the external printing apparatus based on the determination. [emphasis added]

Other remaining independent claims (i.e., claims 8, 14 and 21) have been amended in a similar manner to claim 1. Support for the amendment may be found throughout the specification as originally filed. For example, a printing apparatus 11 as the processing apparatus is disclosed in Fig. 1 and page 11, lines 19-20. Also, the communication control of connecting the printing apparatus as a host and the image sensing apparatus as a slave is described in page 16, lines 11-14.

One of the aspects of the present invention as featured in the pending independent claims “determines” whether control relation between an image sensing apparatus (e.g., a digital camera) and the processing apparatus (e.g., a printer) is a first type in which the external

processing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the processing apparatus, or a second type in which the external processing apparatus is configured in such a way that processing in the processing apparatus can be controlled by the image sensing apparatus, by communication with the image sensing apparatus via said interface. For example, when a digital camera is connected to a printer (or a printer is connected to a digital camera), it is “determined” whether the connected printer is adapted to conform with a NCDP (new camera direct print) format, or not. If it is determined that the connected printer is adapted to conform with the NCDP, the digital camera controls the processing of the printer using the NCDP format, i.e., the digital camera controls the printer for a printing operation. If, however, it is determined that the connected printer is not implemented with the NCDP, the digital camera may allow the printer to directly access the memory of the digital camera for a printing operation by using, e.g, a mass storage class (MSC) format. See, e.g., page 16, line 15 - page 17, line 26 of the original specification.

The Office Action appears to equate the control unit (70) of Ito to the “determination unit” of the present invention. For example, the Office Action indicates, *inter alia*, that “... a control unit (70) which transfers said image signal to said external processing apparatus (1) to process the image signal ... wherein said control unit comprises: a determination unit which determines whether control relation between the image sensing apparatus (102) and the external processing apparatus (101)...” [page 3 of the Office Action] Also, in rejecting the independent claims, the Office Action cites Ito as disclosing each and every elements of the independent claims except for one element that a memory in the image sensing apparatus can be accessed directly from the external processing apparatus. The Office Action then cites Rasche as

disclosing the missing element, i.e., a direct memory access from the external processing apparatus.

First of all, Ito's control unit (70) does not "determine" whether control relation between the image sensing apparatus and the external processing apparatus is a first type or a second type as claimed in the present application. It is indicated in Ito that the system controller (70) merely controls the individual sections including the recording/reproducing unit 66 of the digital camera (61). For example, a portion of Ito describes that "[w]hen the system controller 70 determines that a direct printing mode operation is in progress, it inhibits the acceptance of the entry at the operating unit 69 of the digital camera 105 of a predetermined instruction, such as a mode change." [col. 25, lines 59-63 of Ito]

Secondly, Rasche merely disclosing the direct access feature of the memory from the external processing apparatus does not remedy the primary reference (i.e., Ito) because Rasche also fails to show or suggest disclosing the "determination unit" or a step of "determining" as recited in the pending independent claims.

As Applicant understand it, other cited references (i.e., Tanaka, Rissman and Kitagawa) also fails to show or suggest the present invention as discussed above including the determination unit or the step of determining as recited in the pending independent claims.

Additionally, the cited references further fail to teach a processing controller which changes a processing procedure for processing an image in the image sensing apparatus by said external printing apparatus based on the determination.

Furthermore, amended independent claims specify that an external processing apparatus is a printing apparatus, and that the printing apparatus operates as a host, and the image sensing

apparatus operates as a client while communicating. In the present invention, while the image sensing apparatus is connected as a slave, the image sensing apparatus is capable of controlling the processing in the printing apparatus. In a communication between a host and a slave, the host generally controls the slave to perform communication. Therefore, the control relation of the second type which enables to control the printing apparatus by the controller of the image sensing apparatus when the printing device is connected as a host and the image sensing apparatus as a client, is not obvious in view of any of the cited references.

Accordingly, each of independent claims 1, 8, 14 and 21 is believed neither anticipated by nor rendered obvious in view of the cited references (Ito, Rasche, Tanaka, Rissman and Kitagawa), either taken alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawn of the rejections of claims 1, 8, 14 and 21 under 35 U.S.C. §103(a) is respectfully requested.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Also, Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

AUTHORIZATION

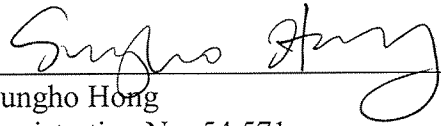
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5080). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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Dated: June 2, 2008

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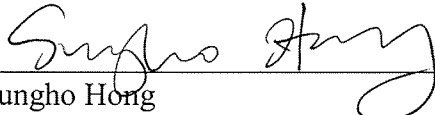
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5080). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

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